

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Patrice DENEFFLE et al. ) Group Art Unit: 1653  
)  
Application No.: 10/005,338 ) Examiner: Not Yet Assigned  
)  
Filed: December 7, 2001 )  
)  
For: NUCLEIC ACIDS OF THE HUMAN )  
ABCA5, ABCA6, ABCA9, AND )  
ABCA10 GENES, VECTORS )  
CONTAINING SUCH NUCLEIC )  
ACIDS, AND USES THEREOF )

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS  
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE  
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

In response to the communication mailed June 25, 2002, Applicants submit a copy of the Substitute Sequence Listing in computer-readable format on diskette, a paper copy of the Substitute Sequence Listing, and a copy of the Notice to Comply with Requirements for Patent Applications. The Substitute Sequence Listing includes the identity and location of nucleotides and amino acids designated "n" and "Xaa", respectively, as indicated on the marked-up "Raw Sequence Listing" attached to the Notice.

In connection with the Substitute Sequence Listing submitted concurrently herewith, the undersigned hereby states that:

1. the submission does not include new matter;

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2. the content of the paper copy of the Substitute Sequence Listing and of the computer-readable copy of the Substitute Sequence Listing are the same; and
3. all statements made herein of his own knowledge are true and all statements made on information and belief are believed to be true; and further; that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent resulting therefrom.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By: 

William L. Strauss  
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Dated: July 22, 2002

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/005,338	12/07/2001	Patrice Deneffe	03806.0529

CONFIRMATION NO. 9446

## FORMALITIES LETTER



\*OC000000008348235\*

Finnegan, Henderson, Farabow,  
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Date Mailed: 06/25/2002

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
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*A copy of this notice **MUST** be returned with the reply.*

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PART 2 - COPY TO BE RETURNED WITH RESPONSE